

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JUAN ALVARO SICAJAN DIAZ,

Plaintiff,

MEMORANDUM & ORDER
19-CV-4911 (EK) (RML)

-against-

PIZZA NAPOLITANA, INC., d/b/a
DARO'S PIZZA AND CHICKEN,

Defendant.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Robert M. Levy's Report and Recommendation (R&R) dated December 4, 2020. ECF No. 22. Judge Levy recommends that the Court grant the parties' joint motion to approve the settlement agreement in this case, which resolves Plaintiff's claims for unpaid wages and overtime compensation pursuant to the Fair Labor Standards Act and the New York Labor Law. ECF No. 20. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews the R&R for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord *Gesualdi v. Mack Excavation & Trailer Serv., Inc.*, No. 09-CV-2502, 2010 WL 985294, at *1 (E.D.N.Y. Mar. 15, 2010). Having reviewed the record, the Court finds no clear error. Accordingly, the Court adopts the R&R in its entirety pursuant

to 28 U.S.C. § 636(b)(1). The parties' joint motion to approve the settlement agreement is granted. The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

/s Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: January 26, 2021
Brooklyn, New York